Report: CZR0026

21ST JUDICIAL CIRCUIT
ST LOUIS COUNTY
CIRCUIT COURT DOCKET SHEET

Date: 20-Dec-2016
Time: 8:23:20AM
Page: 1

16SL-CC04134 **NORMAN FAUGHT V TARGET CORPORATION ET AL** **Security Level: 1 Public**

Case Type:	CC Pers Injury-Vehicular	**Case Filing Date:**	08-Nov-2016
Status:	Pet Filed in Circuit Ct		
Disposition:		**Disposition Date:**	

		Release/Status Change Date	Reason
Judge	**BARBARA W WALLACE (27589)**		
Plaintiff	**NORMAN FAUGHT (@1174478)**		
Attorney for Plaintiff	DAVID NICHOLAS BOHRER (44901)		
Defendant	**TARGET CORPORATION (@1174472)**		
Defendant	**GRACEY ROOPE (@1174474)**		

Filing Date	Description
08-Nov-2016	**Judge Assigned** DIV 13 **Pet Filed in Circuit Ct** Petition. **On Behalf Of:** NORMAN FAUGHT **Filing Info Sheet eFiling** **Filed By:** DAVID N BOHRER
09-Nov-2016	**Summons Issued-Circuit** Document ID: 16-SMCC-8733, for TARGET CORPORATION.Summons Attached in PDF Form for Attorney to Retrieve from Secure Case.Net and Process for Service. **Service/Attempt Date:** 23-Nov-2016 **Summons Issued-Circuit** Document ID: 16-SMCC-8734, for ROOPE, GRACEY.Summons Attached in PDF Form for Attorney to Retrieve from Secure Case.Net and Process for Service. **Service/Attempt Date:** 26-Nov-2016
29-Nov-2016	**Summons Returned Non-Est** Document ID - 16-SMCC-8734; Served To - ROOPE, GRACEY; Server - WHITFIELD, LINDA; Served Date - 26-NOV-16; Served Time - 00:00:00; Service Type - Territory 25; Reason Description - Moved; Service Text - MOVED **Agent Served** Document ID - 16-SMCC-8733; Served To - TARGET CORPORATION; Server - CT CORP; Served Date - 23-NOV-16; Served Time - 00:00:00; Service Type - Territory 30; Reason Description - Served; Service Text - LC

MOVED 11-26 1:26

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518 12-9

IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 16SL-CC04134	FILED DEC 01 2016 JOAN M. GILMER CIRCUIT CLERK ST LOUIS COUNTY
Plaintiff/Petitioner: NORMAN FAUGHT vs.	Plaintiff's/Petitioner's Attorney/Address DAVID NICHOLAS BOHRER 7503 BIG BEND BLVD SAINT LOUIS, MO 63119	
Defendant/Respondent: TARGET CORPORATION	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105	
Nature of Suit: CC Pers Injury-Vehicular		(Date File Stamp)

Summons in Civil Case

The State of Missouri to: GRACEY ROOPE
Alias:

470 PINE HOLLOW COURT
BALLWIN, MO 63021

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COURT SEAL OF

ST. LOUIS COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for Plaintiff/Petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

SPECIAL NEEDS: If you have special needs addressed by the Americans With Disabilities Act, please notify the Office of the Circuit Clerk at 314-615-8029, FAX 314-615-8739 or TTY at 314-615-4567, at least three business days in advance of the court proceeding.

09-NOV-2016
Date

Clerk

Further Information:
SM

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within thirty days after the date of issue.

I certify that I have served the above summons by: (check one)

☐ delivering a copy of the summons and a copy of the petition to the Defendant/Respondent.

☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the Defendant/Respondent with ______ a person of the Defendant's/Respondent's family over the age of 15 years.

☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to ______ (name) ______ (title).

☒ other MOVED

Served at 470 (address)

in St. Louis (County/City of St. Louis), MO, on 11-26-16 (date) at 1:26 (time).

Jim Buckles — Printed Name of Sheriff or Server

Signature of Sheriff or Server

NOV 2016

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on ______ (date).

(Seal)

My commission expires: ______ Date ______ Notary Public

Sheriff's Fees, if applicable

Summons	$______
Non Est	$______
Sheriff's Deputy Salary	
Supplemental Surcharge	$ 10.00
Mileage	$______ (____ miles @ $.____ per mile)
Total	$______

SHERIFF FEE PAID

A copy of the summons and a copy of the petition must be served on **each** Defendant/Respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.

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12-9

IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	Case Number: 16SL-CC04134
Plaintiff/Petitioner: NORMAN FAUGHT	Plaintiff's/Petitioner's Attorney/Address DAVID NICHOLAS BOHRER 7503 BIG BEND BLVD SAINT LOUIS, MO 63119
vs.	
Defendant/Respondent: TARGET CORPORATION	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Vehicular	

FILED
DEC 01 2016
JOAN M. GILMER
CIRCUIT CLERK, ST. LOUIS COUNTY

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: TARGET CORPORATION

Alias:

CT CORPORATION SYSTEM
120 SOUTH CENTRAL AVENUE
CLAYTON, MO 63105

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COURT SEAL OF

ST. LOUIS COUNTY

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NOV 21 2016

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to ______ (name) ______ (title).

☑ other CT CORP. LCW – B. LOVE

Served at ______ 9 A.M. (address)

in St. Louis County (County/City of St. Louis), MO, on NOV 23 2016 (date) at ______ (time).

L. D. SILVESTER
Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on ______ (date).

(Seal)

My commission expires: ______ Date ______ Notary Public

Sheriff's Fees, if applicable

Summons	$______
Non Est	$______
Sheriff's Deputy Salary	
Supplemental Surcharge	$ 10.00
Mileage	$______ (____ miles @ $.____ per mile)
Total	$______

SHERIFF FEE PAID

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DR
11-28

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Defendant/Respondent: TARGET CORPORATION	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Vehicular	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **TARGET CORPORATION**
Alias:

CT CORPORATION SYSTEM
120 SOUTH CENTRAL AVENUE
CLAYTON, MO 63105

COURT SEAL OF

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to ______________________ (name) ______________________ (title).

☐ other ______________________.

Served at ______________________ (address)

in ______________ (County/City of St. Louis), MO, on ______________ (date) at ______________ (time).

______________________ Printed Name of Sheriff or Server

______________________ Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on ______________________ (date).

My commission expires: ______________ Date

______________________ Notary Public

Sheriff's Fees, if applicable

Summons	$______
Non Est	$______
Sheriff's Deputy Salary	
Supplemental Surcharge	$ 10.00
Mileage	$______ (______ miles @ $.______ per mile)
Total	$______

SHERIFF FEE PAID

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THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

NOTICE OF ALTERNATIVE DISPUTE RESOLUTION SERVICES

Purpose of Notice

As a party to a lawsuit in this court, you have the right to have a judge or jury decide your case. However, most lawsuits are settled by the parties before a trial takes place. This is often true even when the parties initially believe that settlement is not possible. A settlement reduces the expense and inconvenience of litigation. It also eliminates any uncertainty about the results of a trial.

Alternative dispute resolution services and procedures are available that may help the parties settle their lawsuit faster and at less cost. Often such services are most effective in reducing costs if used early in the course of a lawsuit. Your attorney can aid you in deciding whether and when such services would be helpful in your case.

Your Rights and Obligations in Court Are Not Affected By This Notice

You may decide to use an alternative dispute resolution procedure if the other parties to your case agree to do so. In some circumstances, a judge of this court may refer your case to an alternative dispute resolution procedure described below. These procedures are not a substitute for the services of a lawyer and consultation with a lawyer is recommended. Because you are a party to a lawsuit, you have obligations and deadlines which must be followed whether you use an alternative dispute resolution procedure or not. **IF YOU HAVE BEEN SERVED WITH A PETITION, YOU MUST FILE A RESPONSE ON TIME TO AVOID THE RISK OF DEFAULT JUDGMENT, WHETHER OR NOT YOU CHOOSE TO PURSUE AN ALTERNATIVE DISPUTE RESOLUTION PROCEDURE.**

Alternative Dispute Resolution Procedures

There are several procedures designed to help parties settle lawsuits. Most of these procedures involve the services of a neutral third party, often referred to as the "neutral," who is trained in dispute resolution and is not partial to any party. The services are provided by individuals and organizations who may charge a fee for this help. Some of the recognized alternative dispute resolutions procedures are:

(1) Advisory Arbitration: A procedure in which a neutral person or persons (typically one person or a panel of three persons) hears both sides and decides the case. The arbitrator's decision is not binding and simply serves to guide the parties in trying to settle their lawsuit. An arbitration is typically less formal than a trial, is usually shorter, and may be conducted in a private setting at a time mutually agreeable to the parties. The parties, by agreement, may select the arbitrator(s) and determine the rules under which the arbitration will be conducted.

(2) Mediation: A process in which a neutral third party facilitates communication between the parties to promote settlement. An effective mediator may offer solutions that have not been considered by the parties or their lawyers. A mediator may not impose his or her own judgment on the issues for that of the parties.

CCADM73

(3) Early Neutral Evaluation ("ENE"): A process designed to bring the parties to the litigation and their counsel together in the early pretrial period to present case summaries before and receive a non-binding assessment from an experienced neutral evaluator. The objective is to promote early and meaningful communication concerning disputes, enabling parties to plan their cases effectively and assess realistically the relative strengths and weaknesses of their positions. While this confidential environment provides an opportunity to negotiate a resolution, immediate settlement is not the primary purpose of this process.

(4) Mini-Trial: A process in which each party and their counsel present their case before a selected representative for each party and a neutral third party, to define the issues and develop a basis for realistic settlement negotiations. The neutral third party may issue an advisory opinion regarding the merits of the case. The advisory opinion is not binding.

(5) Summary Jury Trial: A summary jury trial is a non binding, informal settlement process in which jurors hear abbreviated case presentations. A judge or neutral presides over the hearing, but there are no witnesses and the rules of evidence are relaxed. After the "trial", the jurors retire to deliberate and then deliver an advisory verdict. The verdict then becomes the starting point for settlement negotiations among the parties.

Selecting an Alternative Dispute Resolution Procedure and a Neutral

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

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IN THE 21ST JUDICIAL CIRCUIT COURT, ST. LOUIS COUNTY, MISSOURI

Judge or Division: BARBARA W WALLACE	**Case Number: 16SL-CC04134**
Plaintiff/Petitioner: NORMAN FAUGHT vs.	Plaintiff's/Petitioner's Attorney/Address DAVID NICHOLAS BOHRER 7503 BIG BEND BLVD SAINT LOUIS, MO 63119
Defendant/Respondent: TARGET CORPORATION	Court Address: ST LOUIS COUNTY COURT BUILDING 105 SOUTH CENTRAL AVENUE CLAYTON, MO 63105
Nature of Suit: CC Pers Injury-Vehicular	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: TARGET CORPORATION
Alias:

CT CORPORATION SYSTEM
120 SOUTH CENTRAL AVENUE
CLAYTON, MO 63105

COURT SEAL OF

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09-NOV-2016
Date

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☐ (for service on a corporation) delivering a copy of the summons and a copy of the petition to ____________________ (name) ____________________ (title).

☐ other ____________________.

Served at ____________________ (address)

in ____________________ (County/City of St. Louis), MO, on ____________________ (date) at ____________________ (time).

____________________ Printed Name of Sheriff or Server

____________________ Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on ____________________ (date).

My commission expires: ____________________ Date ____________________ Notary Public

Sheriff's Fees, if applicable

Summons	$__________
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THE CIRCUIT COURT OF ST. LOUIS COUNTY, MISSOURI

Twenty First Judicial Circuit

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(Date File Stamp)

Summons in Civil Case

The State of Missouri to: GRACEY ROOPE
Alias:

470 PINE HOLLOW COURT
BALLWIN, MO 63021

COURT SEAL OF

ST. LOUIS COUNTY

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Served at ______________ (address)

in ______________ (County/City of St. Louis), MO, on ______________ (date) at ______________ (time).

______________ Printed Name of Sheriff or Server

______________ Signature of Sheriff or Server

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(Seal)

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Selecting an Alternative Dispute Resolution Procedure and a Neutral

If the parties agree to use an alternative dispute resolution procedure, they must decide what type of procedure to use and the identity of the neutral. As a public service, the St. Louis County Circuit Clerk maintains a list of persons who are available to serve as neutrals. The list contains the names of individuals who have met qualifications established by the Missouri Supreme Court and have asked to be on the list. The Circuit Clerk also has Neutral Qualifications Forms on file. These forms have been submitted by the neutrals on the list and provide information on their background and expertise. They also indicate the types of alternative dispute resolution services each neutral provides.

A copy of the list may be obtained by request in person and in writing to: Circuit Clerk, Office of Dispute Resolution Services, 7900 Carondelet Avenue, 5th Floor, Clayton, Missouri 63105. The Neutral Qualifications Forms will also be made available for inspection upon request to the Circuit Clerk.

The List and Neutral Qualification Forms are provided only as a convenience to the parties in selecting a neutral. The court cannot advise you on legal matters and can only provide you with the List and Forms. You should ask your lawyer for further information.

CCADM73

16SL-CC04134

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MISSOURI CIRCUIT COURT
TWENTY-FIRST JUDICIAL CIRCUIT
ST. LOUIS COUNTY

NORMAN FAUGHT,	)	
	)	
Plaintiff,	)	
	)	Cause No. ____________
v.	)	
	)	
TARGET CORPORATION,	)	Division No. ____
	)	
Serve at:	)	
	)	
C T Corporation System	)	
120 South Central Avenue	)	
Clayton, MO 63105	)	
	)	
And,	)	
	)	
GRACEY ROOPE,	)	
	)	
Serve at:	)	
	)	
470 Pine Hollow Court	)	
Ballwin, MO 63021	)	
	)	
Defendants.	)	

PETITION

COMES NOW plaintiff Norman Faught ("plaintiff") and for his petition against the above-named defendants states as follows:

1. Plaintiff is a resident of the State of Missouri.

2. Defendant Target Corporation is a Minnesota corporation with retail stores located throughout the United States and the State of Missouri. At all

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times herein defendant was acting by and through its agents, servants and employees, who were acting in the scope and course of their employment at the Target Store located at 4250 Rusty Road, St. Louis, MO 63128.

3. Defendant Gracey Roope is a Missouri resident. At all times referenced in this petition defendant Gracey Roope was an agent and employee of the subject Target Store, in a position of management, who was acting in the course and scope of her employment at the subject Target Store when the injury to plaintiff occurred. (Defendant Gracey Roope and defendant Target Corporation will hereinafter be collectively referred to as "defendants" herein.)

4. Venue is proper in St. Louis County because plaintiff was injured due to the negligence of defendants and the dangerous and defective condition upon Target Store's premises at 4250 Rusty Road, St. Louis, MO 63128.

5. On or about May 30, 2013, plaintiff was an invitee shopper at the Target Store. While within the store, defendants negligently caused plaintiff to sustain injuries to his back and hips due to defendant's negligent acts and omissions, and because of a dangerous and defective condition upon Target Corporation's premises.

6. In particular, the "seat" portion of a stool at the Target Café was permitted to sit atop its floor-mounted base without being attached to the base. By all appearances the stool seat, which was placed in its normal position next to other

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stools at the Target Café, appeared to be a safe stool upon which to sit. Plaintiff purchased a cup of coffee at the Target Café while his wife continued to shop at the store, and attempted to sit on the stool to drink his coffee. Because the seat portion of the stool was not attached to its base, plaintiff was thrown into an adjacent seating area, permanently injuring his body.

7. Defendants owed the highest duty of care to plaintiff.

8. Defendants knew or should have known that the subject stool was a dangerous and defective condition upon Target Store's premises.

9. Defendants breached their duties of care to defendants in numerous ways, including:

a) Defendants left a stool seat atop its floor-mounted stand, in the seating area of the Target Café, without having attached the stool seat to its base;

b) Defendants removed the hardware necessary to attach the seat of the stool to the base of the stool, and failed to replace such hardware;

c) Defendants failed to place a warning sign on or near the stool seat even though it was not attached to its base;

d) Defendants permitted a dangerous and defective condition to remain on its property, even though defendants knew or

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should have known of the dangerous and defective condition, thereby directly and proximately causing injury to plaintiff;

e) Defendants permitted plaintiff to attempt to sit upon a stool seat at the Target Café, when they knew or should have known that the stool seat was not attached to the stool base;

f) Defendants failed to properly maintain the stool upon which plaintiff attempted to sit.

9. As a direct and proximate result of defendants' negligence and defendants' liability for having a defective and dangerous condition upon its premises, plaintiff was damaged as follows: plaintiff has suffered from injuries, pain and mental anguish and plaintiff will suffer from injuries, pain and mental anguish in the future; plaintiff has underwent medical treatment and plaintiff will undergo medical treatment in the future; plaintiff has incurred medical expenses and plaintiff will incur medical expenses in the future; plaintiff has incurred lost wages and plaintiff will incur lost wages in the future; plaintiff has incurred out-of-pocket expenses and plaintiff will incur out-of-pocket expenses in the future; and plaintiff has incurred property damages.

WHEREFORE plaintiff Norman Faught prays for judgment in his favor and against defendant Target Corporation and defendant Gracey Roope in a fair

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and reasonable amount in excess of Twenty-Five Thousand Dollars ($25,000.00), and for his costs expended, and for such additional relief as the Court deems just and proper.

BOHRER LAW FIRM LLC

By: ______________________________

David N. Bohrer #44901
Attorney for Plaintiff
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Cottleville, MO 63338
(314) 962-0555
Fax: (636)477-6379

I certify and attest that the above is a true copy of the original record of the Court in case number 16SL-CC04134 as it appears on file in my office.

Issued
December 20, 2016

JOAN M. GILMER, Circuit Clerk
St. Louis County Circuit Court

By ______________________
Deputy Clerk

SEAL OF THE CIRCUIT COURT OF ST. LOUIS COUNTY MISSOURI

CCOPR36 Rev. 06/00